IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 6798 of 2007(H)

PETITIONER:

BOUTIQUE HOTELS INDIA LTD.,
UCO BANK BUILDING, 3RD FLOOR, PARLIAMENT STREET,
NEW DELHI-110001, REPRESENTED BY THE POWER OF
ATTORNEY HOLDER, SUJITH VARGHESE, AGED 26 YEARS,
S/O. P.J.VARGHESE, RESIDING AT PERIYAPURATH HOUSE,
KANDANAD, MANAKUNNAM VILLAGE, ERNAKULAM DISTRICT.

BY ADV. SRI.M.L.SAJEEV

RESPONDENTS:

1.UDAYAMPEROOR GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, UDAYAMPEROOR
PANCHAYAT OFFICE, UDAYAMPEROOR.

2.SPECIAL GRADE SECRETARY,
UDAYAMPEROOR GRAMA PANCHAYAT, UDAYAMPEROOR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.6798 of 2007

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Dated: 28th February, 2007

JUDGMENT

I do not propose to go into the merits of the matter. This court granted police protection to the petitioner and its sister concern under Exts.P1 and P2 for filling up paddy fields within the area of the 1st respondent-Panchayat on the strength of the permits issued under the Kerala Land Utilization Order way back in 1982. The petitioner submits that substantial portions of the paddy fields have already been filled up and have now been converted as coconut plantation. But a portion of the paddy fields remains to be filled up. The petitioner has now been issued with Ext.P3 order by the Panchayat restraining the petitioner from using the Panchayat road for transportation of sand which is necessary for completing the filling work. To Ext.P3 the petitioner has submitted Ext.P4 reply to the Panchayat. One of the grievances voiced by the petitioner is that the Panchayat is not taking a decision on Ext.P4.

2. Having regard to the grounds raised and the submissions of Mr.M.L.Sajeev, learned counsel for the petitioner, this Writ Petition will stand disposed of with the following directions:

The respondents will consider Ext.P4, hear the petitioner and take a final decision in the matter covered by Ext.P3 notice at their

earliest and at any rate within three weeks of receiving a copy of this judgment. Once decision is taken, the petitioner will be informed of the same.

srd **PIUS C.KURIAKOSE, JUDGE**